



## REPORTING OF THE RECORD TASK FORCE

### Meeting Minutes

January 21 – 22, 2004

Administrative Office of the Courts, Southern Regional Office

2233 North Ontario Street, Suite 100, Burbank, CA 91504

#### ***TASK FORCE MEMBERS PRESENT:***

Hon. James A. Ardaiz, Chair, Administrative Presiding  
Justice of the Court of Appeal, Fifth Appellate District  
Hon. S. William Abel, Presiding Judge, Superior Court  
of Colusa County  
Ms. Maura Baldocchi, CSR, Official Court Reporter,  
Superior Court of San Francisco County  
Mr. Gary M. Cramer, CSR, Official Court Reporter,  
Superior Court of Los Angeles County  
Ms. Deena C. Fawcett, Clerk/Administrator, Court of  
Appeal, Third Appellate District  
Mr. Edward J. Horowitz, Esq., Law Offices of  
Edward J. Horowitz  
Ms. Barbara J. Lane, CSR, Supervisor, Court Reporters,  
Superior Court of Riverside County  
Mr. Len LeTellier, Executive Officer, Superior Court of  
Sutter County  
Mr. Gary Evan McCurdy, Esq., Assistant Director,  
Central California Appellate Program  
Mr. Gordon Park-Li, Executive Officer, Superior Court  
of San Francisco County  
Ms. Kary Parker, CSR, Official Court Reporter, Superior  
Court of Orange County  
Mr. Tom Pringle, CSR, Official Court Reporter,  
Superior Court of Shasta County  
Mr. Paul J. Runyon, Administrator, Litigation Support,  
Superior Court of Los Angeles County  
Mr. Alan Slater, Chief Executive Officer, Superior Court  
of Orange County

#### ***TASK FORCE MEMBERS ABSENT:***

Hon. John S. Einhorn, Assistant Presiding Judge,  
Superior Court of San Diego County  
Ms. Fiel Tigno, Esq., Supervising Deputy  
Attorney General, Office of the Attorney General,  
Department of Justice

#### ***TASK FORCE LIAISON:***

Ms. Julie R. Peak, CSR, Chair, Court Reporters Board of  
California **(Present)**

#### ***PRESENTERS:***

None

#### ***GUESTS:***

None

#### ***FACILITATOR:***

Ms. Sharon Maher, Maher & Company **(Present)**

#### ***AOC STAFF PRESENT:***

Ms. Pat Sweeten, Director, Executive Office Programs  
Division  
Ms. Christine E. Patton, Regional Administrative Director,  
Bay Area/Northern Coastal Region  
Ms. Sally Lee, Manager, Executive Office Programs  
Division  
Ms. Claudia Ortega, Lead Staff, Senior Court Services  
Analyst, Executive Office Programs Division  
Mr. Yonkel Goldstein, Attorney, Office of the General  
Counsel  
Mr. Martin Riley, Governmental Affairs Analyst, Office  
of Governmental Affairs  
Ms. Lucy Choate, Secretary II, Executive Office Programs  
Division

#### ***AOC STAFF ABSENT:***

None

## **Meeting Minutes**

### **Wednesday, January 21, 2004**

#### **Item 1           Opening Remarks**

Administrative Presiding Justice James A. Ardaiz, Chair of the Reporting of the Record Task Force, called the meeting to order at 1:15 p.m.

#### **Item 2           Public Comment**

Members of the public did not address the task force on this day.

#### **Item 3           Major Accomplishments from the Last Meeting**

Justice Ardaiz recapped the policy recommendations reached at the last meeting regarding the courts' future proprietary interest in court paid transcripts and the use of a uniform word counting software.

#### **Item 4           January Meeting with the Court Reporting Profession Regarding Electronic Recording**

Justice Ardaiz reported that in response to his November 20, 2003 letter to court reporter leaders throughout the state, a meeting was held on January 13<sup>th</sup> and 14<sup>th</sup> in Sacramento. The letter invited court reporter leaders to meet with him and AOC staff to discuss the court reporter shortage, its impact upon the courts, and various proposals by the AOC. Representatives from the California Court Reporters Association and Los Angeles County Court Reporters Association attended the meeting. Ms. Christine E. Patton, Mr. Paul J. Runyon, and Ms. Pat Sweeten were also present. The participants engaged in preliminary discussions to better understand each other's positions. Justice Ardaiz stated that he hoped to receive a written response from the court reporter leadership so that discussions could continue on Friday, January 23<sup>rd</sup>. He reiterated that the task force meeting on Friday was cancelled so the day could be dedicated to the discussions with court reporter leaders. He thanked the task force members for changing their hotel and flight arrangements to accommodate this change in schedule.

#### **Item 5           The Courts' Transition from Paper to Digital Transcripts**

The task force discussed various implications of the future transition from paper to digital transcripts. When discussing the delivery of the digital appellate record, the task force agreed, by consensus, that the certified record should move as quickly as possible to the end user. The members also agreed, by consensus, that the appellate record should be transmitted to a centralized repository. This transmission process should encompass appropriate notice procedures, restricted access to authorized users, and security requirements.

The task force also discussed whether the above transmission process should include civil records filed with the courts. Mr. Gary M. Cramer requested that the issue of the courts' proprietary interests in civil transcripts be parked. The task force agreed to this request.

#### **Item 6           Hotel Bag Storage and Shuttle**

Ms. Claudia Ortega conveyed the hotel's bag storage option and shuttle schedule.

## **Item 7            Other Business/Adjournment**

With no further business, Justice Ardaiz adjourned the meeting at approximately 5:00 p.m.

### **Meeting Minutes Thursday, January 22, 2004**

## **Item 1            Recap of the Previous Day's Discussion**

Justice Ardaiz called the meeting to order at 8:45 a.m.

## **Item 2            Public Comment**

Members of the public did not address the task force in person on this day. However, Mr. Cramer read a letter to the task force from Ms. Diana R. Grace, an official reporter for the Superior Court of Los Angeles County. Ms. Grace's letter questioned whether adequate safeguards exist to protect the confidentiality of electronically filed grand jury transcripts. She requested that grand jury transcripts not be subject to the recommendation on electronic filing. In response, the task force agreed, by consensus, that its final report should state that it is not the task force's intent to interfere with existing statutes regarding sealed and confidential documents.

## **Item 3            Draft Minutes – December 2003**

Ms. Ortega announced that the draft December 2003 minutes were not ready for task force review. Staff indicated that they would e-mail the draft before the next meeting for the task force to discuss at the January 2004 meeting.

## **Item 4            The Courts' Transition from Paper to Digital Transcripts (Continued)**

The task force developed the following recommendations for the development of a pilot project to facilitate the transition to digital records:

- Centralized repository for transcripts filed with the court
- Convert certified transcript to standardized format
- Create means for CR to upload
- Design and conduct a multi-phase pilot project to upload all transcripts that are filed with the court
  - Begin first phase with court paid transcripts
- Our recommendation assumes that pay rates for digital transcripts have been resolved prior to implementation

A motion was made by Mr. Runyon to adopt the above recommendations. The motion was seconded by Judge S. William Abel.

- Passed with one dissenting vote (by Ms. Maura Baldocchi).

## **Item 5            Draft Task Force Report**

Ms. Ortega explained her role in drafting the report and the task force's role in reviewing the drafts. She outlined the process for drafting and ultimately submitting reports to the Judicial Council. She stated that the report would be placed online for public comment before submission to the council. Ms. Baldocchi asked how her dissenting votes would be expressed in the report. Ms. Ortega replied that she would consult with other task force staff regarding this issue. In response to members' questions concerning the sufficiency of time to complete the charge and report, Justice Ardaiz stated that an additional meeting might be scheduled to complete the task force's work.

## **Item 6            Rules of Court 4 and 9 Pertaining to Indexing, Binding, and Paginating Dailies for the Record on Appeal**

The task force reviewed and approved proposed language, developed by Mr. Runyon, to clarify the process in which certified records of one or more day's proceedings may be submitted as the appellate record.

## **Item 7            Transcript Format – Covers for Appellate and Non-Appellate Transcripts**

The task force reviewed and approved a sample cover page developed by Mr. Tom Pringle. The task force agreed that the traditional functions of the title and cover pages would be merged into a new form to be entitled the "cover page". The task force also agreed that the council would create a form so that parties could create their own cover pages.

## **Item 8            Transcript Format – Identification of Common Events**

The task force reviewed and approved guidelines developed by Ms. Baldocchi.

## **Item 9            Transcript Format – Speaker Identification**

## **Item 10          Transcript Format – Right Margins**

## **Item 11          Transcript Format – Certificate**

## **Item 12          Transcript Format – Headers and Footers**

Due to time constraints, the task force did not discuss these agenda items. These items will be carried over to subsequent agendas.

## **Item 13          Web Site Correspondence to the Task Force**

Justice Ardaiz announced that the public had not e-mailed the task force.

## **Item 14          Adjournment**

Justice Ardaiz adjourned the meeting at approximately 5:15 p.m.